

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

ORDER NO. 98-017

NPDES PERMIT NO. CAS612006

WASTE DISCHARGE REQUIREMENTS FOR:

VALLEJO SANITATION AND FLOOD CONTROL DISTRICT in SOLANO COUNTY

The California Regional Water Quality Control Board, San Francisco Bay Region (hereinafter called the Board) finds that:

1. The Vallejo Sanitation and Flood Control District (the District) submitted Part 1 of a National Pollutant Discharge Elimination System (NPDES) municipal storm water permit application on March 31, 1993, Part 2 of the application on March 31, 1994, and revised Part 2 on April 25, 1996 to the Board for issuance of Waste Discharge Requirements under the NPDES to discharge storm water runoff within the District's boundaries. The District (the Discharger) includes the City of Vallejo and portions of Solano County.
2. The Discharger has jurisdiction over and/or maintenance responsibility for all storm drains and watercourses within the District's boundaries. The principal streams in the Vallejo area include Blue Rock Springs, Austin, Rindler, Columbus Parkway and Walsh Creeks. In addition, White Slough and Lakes Chabot and Dalwigk are within the District's boundaries. Generally, water flows from north to south or east to west across Vallejo. The major streams in the Vallejo area discharge to the Carquinez Strait, the Mare Island Strait, or the Napa River, all of which flow into San Pablo Bay.
3. The District's service area has a population (1991) of about 112,000. Land use within these cities is primarily residential, with some commercial and, to a lesser extent, industrial and light industrial.
4. Section 402(p) of the Federal Clean Water Act (CWA), as amended by the Water Quality Act of 1987 (WQA), requires NPDES permits for storm water discharges from separate municipal storm drain systems and prohibits non-storm water discharges into these systems. On November 16, 1990, the United States Environmental Protection Agency (hereinafter USEPA) published regulations (40 CFR Part 122) which prescribe permit application requirements for municipal separate storm drain systems pursuant to Section 402(p) of the CWA.
5. Parts 1 and 2 of the permit application, required by Federal Regulations (40 CFR 122.26(d)(1 & 2)), includes a Storm Water Management Plan (hereinafter the Plan), dated April 25, 1996. The Plan has been modified on November 5, 1997. The Plan describes the activities that will be conducted over the five-year term of this Order. The Plan describes the monitoring plan, plan evaluation, annual reporting procedures, existing Best Management Practices (BMPs) currently being implemented, and proposed BMPs to be implemented. It defines the goals and objectives of the BMPs, and provides a detailed list of the tasks required to implement

and evaluate the BMPs. The title page, table of contents, and Executive Summary of the Plan are included in Attachment B of this Order. The Plan and other information contained in the Discharger's application package satisfy the NPDES permit application requirements for municipal storm water discharges.

6. The Plan provides the basis of a phased and tiered approach over the next five-year period (March 1998 through February 2003) to reduce the discharge of pollutants to municipal storm drains to the maximum extent practicable. In general, a municipal storm water management plan should emphasize pollution prevention activities through the following essential major components:
 - Program Management
 - Illicit Discharges
 - Industrial/Commercial Sources
 - New Development and Redevelopment
 - Public Agency Activities
 - Public Information and Participation
 - Program Evaluation
 - Monitoring
7. The Plan and modifications or revisions to the Plan that are approved in accordance with Provision C.5 of this Order are integral and enforceable components of this Order.
8. The Board adopted a revised Water Quality Control Plan for the San Francisco Bay Region (Basin Plan) on June 21, 1995. This updated and consolidated plan represents the Board's master water quality control planning document. The revised Basin Plan was approved by the State Water Resources Control Board and the Office of Administrative Law on July 20 and November 13, respectively, of 1995. The Basin Plan defines beneficial uses and water quality objectives for waters in the Region, including surface waters and groundwaters. This Order implements the plans, policies, and provisions of the Basin Plan.
9. The Basin Plan lists the following existing beneficial uses that apply to the Carquinez Strait and San Pablo Bay, their tributary streams and contiguous water bodies within the drainage basin:
 - a. Industrial Service Supply
 - b. Navigation
 - c. Water Contact Recreation
 - d. Non-Contact Water Recreation
 - e. Commercial and Sport Fishing
 - f. Wildlife Habitat
 - g. Preservation of Rare and Endangered Species

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- h. Fish Migration
- i. Fish Spawning
- j. Estuarine Habitat

San Pablo Bay, but not Carquinez Strait, has the additional beneficial use of shellfish harvesting.

10. The Basin Plan lists the following existing beneficial uses that apply to the Napa River, its tributary streams and contiguous water bodies within the drainage basin:
 - a. Municipal Domestic Supply
 - b. Agricultural Supply
 - c. Navigation
 - d. Water Contact Recreation
 - e. Non-Contact Water Recreation
 - f. Warm Fresh Water Habitat
 - g. Cold Fresh Water Habitat
 - h. Wildlife Habitat
 - i. Preservation of Rare and Endangered Species
 - j. Fish Migration
 - k. Fish Spawning
11. The Board considers storm water discharges from the urban and developing areas in the San Francisco Bay Region, such as Solano County, to be significant sources of pollutants in waters of the Region that may be causing or threatening to cause or contribute to water quality impairment.
12. It is the Board's intent that this Order shall ensure attainment of applicable water quality objectives and protection of the beneficial uses of receiving waters. This Order therefore includes Receiving Water Limitations. These Limitations are consistent with the receiving water limitations adopted in State Water Resources Control Board Order No. 98-01. The Board is requiring that these Limitations be addressed through the implementation of technically and economically feasible control measures to reduce pollutants in storm water discharges as provided in the Receiving Water Limitations.
13. The San Francisco Estuary Project, established pursuant to CWA Section 320, culminated in June of 1993 with completion of its Comprehensive Conservation and Management Plan (CCMP) for the preservation, restoration, and enhancement of the San Francisco Bay-Delta Estuary. The CCMP includes recommended actions in the areas of aquatic resources, wildlife, wetlands, water use, pollution prevention and reduction, dredging and waterway modification, land use, public involvement and education, and research and monitoring. Recommended actions which may, in part, be addressed through implementation of the Discharger's Storm Water Management Plan include, but are not limited to, the following:

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- a. Action PO-2.1: Pursue a mass emissions strategy to reduce pollutant discharges into the Estuary from point and nonpoint sources and to address the accumulation of pollutants in estuarine organisms and sediments.
 - b. Action PO-2.4: Improve the management and control of urban runoff from public and private sources.
 - c. Action PO-2.5: Develop control measures to reduce pollutant loadings from energy and transportation systems.
 - d. Action LU-1.1: Local General Plans should incorporate watershed protection plans to protect wetlands and stream environments and reduce pollutants in runoff.
 - e. Action LU-3.1: Prepare and implement Watershed Management Plans that include the following complementary elements: 1) wetlands protection; 2) stream environment protection; and 3) reduction of pollutants in runoff.
 - f. Action LU-3.2: Develop and implement guidelines for site planning and Best Management Practices.
14. The State Water Resources Control Board (State Board) has issued NPDES General Permits for the regulation of storm water discharges associated with industrial and construction activities. To effectively implement the industrial, new development, and construction elements of the Plan, a permittee may conduct regulatory activities at industries or construction sites currently covered by the State General Permit. Under the CWA, the Discharger cannot enforce the State General Permits. However, Board staff intends to work cooperatively with the Discharger to ensure that industries, businesses and developers within the Discharger's jurisdiction are not subject to duplicate or overlapping storm water regulatory activities.
15. The definition of separate municipal storm sewer system in the Federal Storm Water Regulations may result in federal, state or regional entities within the District's boundaries, not currently named in this Order, being designated as medium municipalities. Caltrans is a State agency that is currently designated as such an entity. The Board issued a separate NPDES storm water permit, No. CAS029998, to Caltrans in August 1994, and will consider issuing separate NPDES storm water permits to other federal, state or regional entities within the District's boundaries that may not be subject to direct regulation by the Discharger.
16. Mare Island Naval Shipyard is separately permitted and administered by the Board for storm water concerns under the State General Permit for Discharges of Storm Water Associated with Industrial Activities. The District accepts sewage from Mare Island. After the transition of Mare Island from the Navy to the City of Vallejo, it is anticipated that the Discharger will eventually assume responsibility for the storm water facilities on Mare Island.

17. The action to adopt an NPDES permit is exempt from the provisions of the California Environmental Quality Act (Division 13 of the Public Resources Code, Chapter 3, Section 21100, et. seq.) in accordance with Section 13389 of the California Water Code.
18. The Board will notify interested agencies and interested persons of the availability of reports, plans, and schedules, including Annual Reports, Work Plans, Performance Standards, and the Plan, and will provide them with an opportunity for a public hearing and/or an opportunity to submit their written views and recommendations. The Board will consider all comments and may modify the reports, plans, or schedules or may modify this Order in accordance with the NPDES permit regulations. All submittals required by this Order conditioned with acceptance by the Executive Officer will be subject to these notification, comment, and public hearing procedures.
19. The Board has notified the Discharger and interested agencies and interested persons of its intent to prescribe waste discharge requirements and an NPDES permit for this discharge and has provided them with an opportunity for a public hearing and an opportunity to submit their written views and recommendations.
20. The Board, at a properly noticed public meeting, heard and considered all comments pertaining to the discharge.
21. This Order serves as a National Pollutant Discharge Elimination System (NPDES) Permit pursuant to CWA Section 402, or amendments thereto, and shall become effective ten days after the date of its adoption provided the Regional Administrator, USEPA, has no objections.

IT IS HEREBY ORDERED that the Discharger, in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted thereunder and the provisions of the CWA as amended and regulations and guidelines adopted thereunder, shall comply with the following:

A. DISCHARGE PROHIBITION

The Discharger shall, within their respective jurisdictions, effectively prohibit the discharge of non-storm water (materials other than storm water) into their storm drain systems and watercourses. NPDES permitted discharges are exempt from this prohibition. Compliance with this prohibition shall be demonstrated in accordance with Provisions C.1 and C.4 of this Order. Provision C.4 describes a tiered categorization of non-storm water discharges based on potential for pollutant content.

B. RECEIVING WATER LIMITATIONS

1. Storm water discharges and authorized non-storm water discharges to any surface or groundwater shall not adversely impact human health or the environment.
2. The Plan shall be designed and implemented, or shall be in the process of being revised in accordance with the procedures set forth below to ensure that discharges authorized by this permit shall not cause or substantially (in more than a *de minimis* amount) contribute to a continuing or recurring exceedance of any applicable water quality standards contained in a Statewide Water Quality Control Plan or the Basin Plan.
3. If the discharges cause or contribute to an exceedance of the applicable water quality standards, the appropriate Discharger shall take the following steps:
 - a. Promptly notify and thereafter submit, upon a determination by either the Discharger or the Board that discharges are causing or contributing to an exceedance of an applicable water quality standard, a report to the Board that describes BMPs that are currently being implemented and additional BMPs that will be implemented to prevent or reduce any pollutants that are causing or contributing to the exceedance of water quality standards. The report may be incorporated in the annual update to the Plan unless the Board directs an earlier submittal. The report shall include an implementation schedule. The Board may require modifications to the report;
 - b. Submit any modifications to the report required by the Board within 30 days of notification;
 - c. Revise, within 30 days following approval of the report described above by the Board, its Plan and monitoring program to incorporate the approved modified BMPs that have been and will be implemented, the implementation schedule, and any additional monitoring required;
 - d. Implement the revised Plan and monitoring program in accordance with the approved schedule; and
 - e. Reduce pollutants in storm water discharges and authorized non-storm water discharges, following implementation of the Plan revised in accordance with paragraph 3 above, to levels which shall not cause or contribute to an exceedance of any applicable water quality standards.
4. So long as the Discharger has complied with the procedures set forth in paragraph 3 above and are implementing the revised Plan, the Discharger does not have to repeat the same procedure for continuing or recurring exceedances of the same receiving water limitations unless directed by the Board to develop additional BMPs.

C. PROVISIONS

1. Storm Water Management Plan

The Discharger shall implement control measures and best management practices to reduce pollutants in storm water discharges to the maximum extent practicable. The Plan shall serve as the framework for identification, assignment, and implementation of such control measures. The Discharger shall begin implementing forthwith the Plan and shall subsequently demonstrate its effectiveness and provide for necessary and appropriate revisions, modifications, and improvements to reduce pollutants in storm water discharges to the maximum extent practicable and as required by Provisions C.1 through C.7 of this Order.

2. Annual Reporting

- a. The Discharger shall submit an annual report, **by September 15** of each year, documenting the status of all the general program and individual tasks contained in the Plan.

This annual report shall include a detailed compilation of all the deliverables and milestones completed as described in the Plan. In each Annual Report, the Discharger shall propose pertinent updates, improvements, or revisions to the Plan, which shall be deemed to be incorporated into the Plan unless disapproved of by the Executive Officer or acted on in accordance with Provision C.5.

As part of the annual report process, the Discharger shall conduct an overall evaluation of the effectiveness of their scheduled activities as described in the Plan. Measures of effectiveness may include, but are not limited to, conformance with established Performance Standards, quantitative monitoring to assess the effectiveness of control measures, detailed accounting of the Discharger's accomplishments, funds expended and staff hours utilized. Methods to improve effectiveness in the implementation of tasks and activities including development of new, or modification of existing, Performance Standards, shall be identified where appropriate.

- b. The Discharger shall submit a draft Workplan **by April 1** of the following year which describes the proposed implementation of the Plan for the next fiscal year.

The Workplan shall consider the status of implementation of current year activities and actions of the Discharger, problems encountered, and proposed solutions, and shall address any comments received from the Executive Officer on the Discharger's previous year's Annual Report. The Workplan shall include clearly defined tasks, responsibilities, and schedules for implementation of Plan and Discharger actions for the next fiscal year.

The Workplan shall also include a proposal for development of new, or modification of existing, Performance Standards.

The Workplan shall be deemed to be incorporated into the Plan as of July 1 unless determined to be unacceptable by the Executive Officer. The Discharger shall address any comments received from the Executive Officer on their draft Workplan prior to the submission of their Annual Report on September 15, at which time the Workplan shall be deemed to be incorporated into the Plan unless disapproved of by the Executive Officer.

3. Monitoring Program Plan

The Discharger shall submit, **by August 1** of each year, an annual Monitoring Program Plan acceptable to the Executive Officer that supports the development and implementation and demonstrates the effectiveness of their Plan. The Monitoring Program Plan shall be designed to achieve the following objectives:

- Characterization of representative drainage areas and storm water discharges, including land-use characteristics, pollutant concentrations, and mass loadings;
- Assessment of existing or potential adverse impacts on beneficial uses caused by pollutants of concern in storm water discharges, including an evaluation of representative receiving waters;
- Identification of potential sources of pollutants of concern found in storm water discharges; and
- Evaluation of effectiveness of representative storm water pollution prevention or control measures.

The Monitoring Program Plan shall include the following:

- a. Provisions for conducting and reporting the results of special studies conducted by the Program or Discharger which are designed to determine effectiveness of best management practice or control measures, define a Performance Standard or assess the adverse impact of a pollutant or pollutants on beneficial uses.
- b. Provisions for conducting watershed monitoring activities including: identification of major sources of pollutants of concern; evaluation of the effectiveness of control measures and best management practices; and use of physical, chemical, and biological parameters and indicators as appropriate.
- c. Identification and justification of representative sampling locations, frequencies and methods, suite of pollutants to be analyzed, analytical methods, and quality assurance

procedures. Alternative monitoring methods in place of these (special projects, financial participation in regional, state, or national special projects or research, literature review, visual observations, use of indicator parameters, recognition and reliance on special studies conducted by other programs, etc.) may be proposed with justification. Alternative monitoring methods may include participation in Bay Area Stormwater Management Agencies Association's Monitoring Programs or Projects. Such proposed alternative monitoring methods shall be included as a component of the draft Workplan as required in Provision C.2.b.

4. Non-Storm Water Discharges

a. Exempted Discharges

In carrying out Discharge Prohibition A of this Order, the following non-storm water discharges need not be prohibited unless they are identified by the Discharger or the Executive Officer as sources of pollutants to receiving waters:

- i. flows from riparian habitats or wetlands;
- ii. diverted stream flows;
- iii. springs;
- iv. rising ground waters; and
- v. uncontaminated groundwater infiltration.

If the any of the above categories of discharges, or sources of such discharges, are identified as sources of pollutants to receiving waters, then such categories or sources shall be addressed as conditionally exempted discharges in accordance with Provision C.4.b.

b. Conditionally Exempted Discharges

The following non-storm water discharges need not be prohibited if are either identified by the Discharger or the Executive Officer as not being sources of pollutants to receiving waters or if appropriate control measures to minimize the adverse impacts of such sources are developed and implemented under the Storm Water Management Plan in accordance with Provision C.4.c.:

- i. uncontaminated pumped groundwater;
- ii. foundation drains;
- iii. water from crawl space pumps;
- iv. footing drains;
- v. air conditioning condensate;
- vi. irrigation water;
- vii. landscape irrigation;

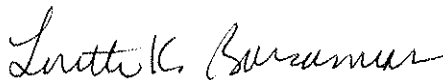
- viii. lawn or garden watering;
 - ix. planned and unplanned discharges from potable water sources;
 - x. water line and hydrant flushing;
 - xi. individual residential car washing; and
 - xii. discharges or flows from emergency fire fighting activities.
- c. The Discharger shall identify and describe the categories of discharges b.i through b.xii which they wish to exempt from Prohibition A in periodic submissions to the Executive Officer. For each such category, the Discharger shall identify and describe as necessary and appropriate to the category either documentation that the discharges are not sources of pollutants to receiving waters or circumstances in which they are not found to be sources of pollutants to receiving waters. Otherwise, the Discharger shall describe control measures to reduce pollutants to the maximum extent practicable and minimize the adverse impacts of such sources, procedures and Performance Standards for their implementation, procedures for notifying the Board of these discharges, and procedures for monitoring and record management. Such submissions shall be deemed to be incorporated into the Plan unless disapproved by the Executive Officer or acted on in accordance with Provision C.5 and the NPDES permit regulations.
- d. Permit Authorization for Exempted Discharges
- i. Discharges of non-storm water from sources owned or operated by the Discharger are authorized and permitted by this Order, if they are in accordance with the conditions of this provision and the Plan.
 - ii. The Board may require dischargers of non-storm water other than the Discharger to apply for and obtain coverage under an NPDES permit and comply with the control measures developed by the Discharger pursuant to Provision C.4. Non-storm water discharges that are in compliance with such control measures may be accepted by the Discharger and are not subject to Prohibition A.
 - iii. The Discharger may propose, as part of their annual updates to the Plan under Provision C.2 of this Order, additional categories of non-storm water discharges to be included in the exemption to Discharge Prohibition A. Such proposals are subject to approval by the Board in accordance with the NPDES permit regulations.
5. It is anticipated that the Plan may need to be modified, revised, or amended from time to time to respond to changed conditions and to incorporate more effective approaches to pollutant control. Requests for changes may be initiated by the Executive Officer or by the Discharger. Minor changes may be made with the Executive Officer's approval and will be brought to the Board as information items and the Discharger and interested

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parties will be notified accordingly. If proposed changes imply a major revision of the Plan, the Executive Officer shall bring such changes before the Board as permit amendments and notify the Discharger and interested parties accordingly.

6. This Order may be modified, or alternately, revoked or reissued, prior to the expiration date as follows:
 - a. to address significant changed conditions identified in the technical reports required by the Board which were unknown at the time of the issuance of this Order;
 - b. to incorporate applicable requirements of statewide water quality control plans adopted by the State Board or amendments to the Basin Plan approved by the State Board; or
 - c. to comply with any applicable requirements, guidelines, or regulations issued or approved under Section 402(p) of the CWA, if the requirement, guideline, or regulation so issued or approved contains different conditions or additional requirements not provided for in this Order. The Order as modified or reissued under this paragraph shall also contain any other requirements of the CWA then applicable.
7. The Discharger shall comply with all parts of the Standard Provisions contained in Appendix A of this Order.
8. This Order expires on March 18, 2003. The Discharger must file a Report of Waste Discharge in accordance with Title 23, California Code of Regulations, not later than 180 days in advance of such date as application for reissuance of waste discharge requirements.

I, Loretta Barsamian, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of an order adopted by the California Regional Water Quality Control Board, San Francisco Bay Region, on March 18, 1998.



Loretta K. Barsamian
Executive Officer

APPENDIX A – STANDARD PROVISIONS

ATTACHMENT A – BOUNDARY MAP

ATTACHMENT B – STORM WATER MANAGEMENT PLAN'S TITLE PAGE, TABLE OF CONTENTS AND EXECUTIVE SUMMARY

APPENDIX A

STANDARD PROVISIONS

1. Duty to Comply

The Discharger must comply with all of the conditions of this Permit. Any permit noncompliance constitutes a violation of the Federal Clean Water Act (CWA) and California's Porter-Cologne Water Quality Control Act (Water Code) and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or denial of a permit renewal application.

2. Permit Actions

This Permit may be modified, revoked and reissued, or terminated for cause. The filing of a request by the Discharger for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.

If any toxic effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is promulgated under Section 307(a) of the CWA for a toxic pollutant which is present in the discharge and that standard or prohibition is more stringent than any limitation on the pollutant in this Permit, this Permit shall be modified, or revoked and reissued to conform to the toxic effluent standard or prohibition, and the Discharger so notified.

3. Need to Halt or Reduce Activity Not a Defense

It shall not be a defense for a Discharger in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this Permit.

4. Duty to Mitigate

The Discharger shall take all responsible steps to minimize or prevent any discharge in violation of this Permit which has a reasonable likelihood of adversely affecting human health or the environment.

5. Proper Operation and Maintenance

The Discharger shall at all times properly operate and maintain any facilities and systems of treatment and control (and related appurtenances) which are installed or used by the Discharger to achieve compliance with the conditions of this Permit and with the requirements of storm water pollution prevention plans. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. Proper operation and maintenance may require the operation of backup or auxiliary facilities or similar systems, installed by a Discharger when necessary to achieve compliance with the conditions of this Permit.

6. Property Rights

This Permit does not convey any property rights of any sort, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of Federal, State, or local laws or regulations.

7. Duty to Provide Information

The Discharger shall furnish the Regional Board, State Board, USEPA, or local storm water management agency within a reasonable time specified by the agencies, any requested information to determine compliance with this Permit. The Discharger shall also furnish, upon request, copies of records required to be kept by this Permit.

8. Inspection and Entry

The Discharger shall allow the Regional Board, State Board, and USEPA, upon the presentation of credentials and other documents as may be required by law, to:

- a. Enter upon the Discharger's premises where a regulated facility or activity is located or conducted or where records must be kept under the conditions of this Permit;
- b. Have access to and copy at reasonable times, any records that must be kept under the conditions of this Permit; and
- c. Inspect at reasonable times any facilities or equipment (including monitoring and control equipment) that are related to or may impact storm water discharge.
- d. Sample or monitor at reasonable times for the purpose of ensuring permit compliance.

9. Signatory Requirements

All reports, certification, or other information required by the Permit or requested by the Regional Board, State Board, USEPA shall be signed by a principal executive officer or by a duly authorized representative. A person is a duly authorized representative only if:

- a. The authorization is made in writing by a person described above and retained as part of the Storm Water Management Plan.
- b. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, such as the position of manager, operator, superintendent, or position of equivalent responsibility or an individual or position having overall responsibility for environmental matters for the company.
- c. If an authorization is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization must be reported to the Regional Board and attached to the Storm Water Management Plan prior to submittal of any reports, certifications, or information signed by the authorized representative.

10. Certification

Any person signing documents under Provision 9 shall make the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to ensure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted, is, to the best of my knowledge and belief, true, accurate,

and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

11. Reporting Requirements

- a. Planned changes: The Discharger shall give written notice to the Regional Board as soon as possible of any planned physical alteration or additions to its right-of-way and facilities, or change in its Storm Water Management Plan. Notice is required under this provision only when the alteration, addition, or change could significantly change the nature or increase the quantity of pollutants discharged.
- b. Anticipated noncompliance: The Discharger will give advance notice to the Regional Board of any planned changes in its right-of-way and facilities, Storm Water Management Plan, or an activity which may result in noncompliance with permit requirements.
- c. Noncompliance reporting: The Discharger shall report any noncompliance at the time reports are submitted. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance and, if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance.

12. Oil and Hazardous Substance Liability

Nothing in this Permit shall be construed to preclude the institution of any legal action or relieve the Discharger from any responsibilities, liabilities, or penalties to which the Discharger is or may be subject under Section 311 of the CWA.

13. Severability

The provisions of this Permit are severable, and if any provision of this Permit, or the application of any provision of this Permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this Permit shall not be affected thereby.

14. Penalties for Violations of Permit Conditions.

- a. Section 309 of the CWA provides significant penalties for any person who violates a permit condition implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the CWA, or any permit condition or limitation implementing any such section in a permit issued under Section 402. Any person who violates any permit condition of this permit is subject to a civil penalty not to exceed \$25,000 per day of such violation, as well as any other appropriate sanction provided by Section 309 of the CWA.
- b. The Water Code also provides for civil and criminal penalties, in some cases greater than those under the CWA.

ATTACHMENT A

LEGEND

DISTRICT BOUNDARY

SPHERE OF INFLUENCE

AREA WITHIN DISTRICT
SPHERE OF INFLUENCE

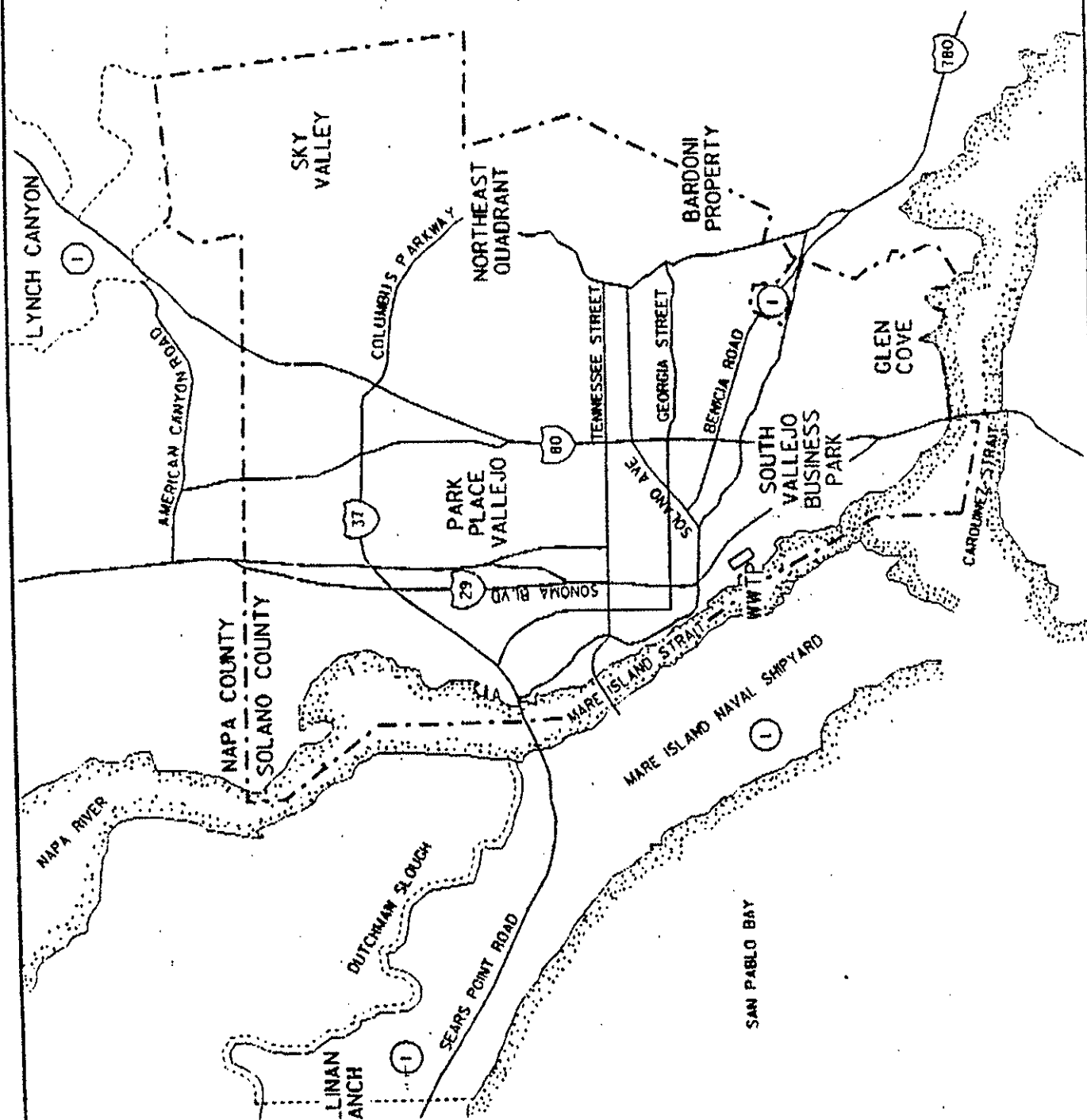
(1)



SCALE
1 MILE

FIGURE 3-1

VSFCD SPHERE
OF INFLUENCE



ATTACHMENT B

VALLEJO SANITATION AND FLOOD CONTROL DISTRICT STORM WATER MANAGEMENT PLAN

Submitted by

Daniel T. Tafolla, Environmental Services Director
Vallejo Sanitation and Flood Control District
450 Ryder Street
Vallejo, CA 94590

for the Permit Area comprising

City of Vallejo

and

Unincorporated Areas Within the Boundaries of
Vallejo Sanitation and Flood Control District

VALLEJO STORMWATER MANAGEMENT GROUP STORMWATER MANAGEMENT PLAN

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**VALLEJO STORMWATER MANAGEMENT GROUP
STORMWATER MANAGEMENT PLAN**

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VALLEJO SANITATION AND FLOOD CONTROL DISTRICT

STORM WATER MANAGEMENT PLAN EXECUTIVE SUMMARY

INTRODUCTION

Storm water, also referred to as urban runoff, is surface runoff and drainage resulting rainfall, snow melt or other forms of natural precipitation. This storm water typically carries pollutants such as metals, oil, grease, paints or fertilizers from our streets and gutters down the drain to rivers and sloughs. Recognizing that storm water is a significant source of pollution in the San Francisco Bay, the Regional Water Quality Control Board (Regional Board) is requiring special districts and municipalities to implement control measures to reduce pollutants in storm water runoff. This Management Plan which was prepared by the Vallejo Sanitation and Flood Control District (District) pursuant to Regional Board requirements, has been designed to implement and evaluate control measures to reduce the discharge of pollutants in storm water runoff to the maximum extent practicable and to effectively prohibit non-storm water discharges to the Vallejo storm drain system.

Currently responsible for the operation and maintenance of all municipal storm drains within the City of Vallejo and unincorporated areas of Solano County, the District is the sole authority for flood control and drainage activities within its sphere of influence. As such, the District possesses adequate authority as well as the expertise necessary to implement this plan.

BACKGROUND

The Regional Board's Water Quality Control Plan for the San Francisco Bay Basin (Basin Plan) requires all local agencies, including special Districts, that own or have maintenance responsibility for storm drain systems to develop a comprehensive storm water control program. According to the Basin Plan, a comprehensive storm water management program (SMP) should focus on the prevention of water quality problems and the remediation of existing problems.

Numerous cities and public agencies within the Bay Area have implemented SMP's or are in the final stages of planning. The two most established are the Alameda County Urban Runoff Clean Water Program and the Santa Clara Valley Nonpoint Source Pollution Control Program which were formed in 1986. Contra Costa and San Mateo County and the cities within these counties have obtained NPDES permits as well. In addition, several other cities and public agencies in Marin, Sonoma and Napa Counties have implemented baseline programs but are not yet required to obtain NPDES permits. In Solano County, the Regional Board chose to require only the urban areas of Vallejo, Fairfield and Suisun to obtain NPDES permits.

Storm water discharges from the geographical area encompassing the City of Vallejo and parts of Solano County will be regulated by the Regional Board through an NPDES permit. The geographical area to be covered by the NPDES permit is the District's service area which includes the City of Vallejo and unincorporated areas of Solano County. The District is chartered by the State of California Constitution and as such has broad general police powers to enact legislation for health and public welfare of the community to the extent not preempted by Federal or state law. Pursuant to this authority, the District is responsible for the review and approval of all development plans, possessing the authority to require the construction of BMP's as a condition of approval.

In compliance with the Regional Board's policy for urban runoff, the District submitted Part 1 of the NPDES permit application on March 31, 1993. Part 2 of the application was submitted on March 31, 1994, and a revised Part 2 was submitted on April 2, 1996. Issuance of an NPDES permit is pending the Regional Board's approval of this SMP.

PURPOSE OF THE STORM WATER MANAGEMENT PLAN

This Storm Water Management Plan shall serve as the basis for the terms and conditions of the municipal NPDES storm water discharge permit to be issued to the District by the Regional Board. The main purpose of this plan is to describe the activities that the District will conduct during fiscal years 1997/98 through 2002/03. This period will coincide with the initial five-year period of the NPDES permit which the Regional Board is expected to adopt in March or April 1998.

The SMP identifies the potential sources of storm water pollution to be addressed and provides information on existing conditions in the Vallejo watershed and existing pollution control activities. Each section of this document contains detailed tasks to be addressed during the 1997/98 fiscal year and conceptual tasks to be addressed during the remaining four years of the permit term. Conceptual tasks will be better defined in annual work plans that will be developed in conjunction with annual reports submitted to the Regional Board. By incorporating a process of successive annual planning, the District will continue to improve this SMP as experience is gained and more information is developed. The format presented herein allows the District to incorporate new program elements or adjust the Plan to promote more effective implementation.

ORGANIZATION OF THE PROPOSED STORM WATER MANAGEMENT PLAN

The SMP consists of the following major components:

- Executive Summary
- Section 1: Program Management
- Section 2: Illicit Discharges
- Section 3: Industrial/Commercial Sources
- Section 4: New Development and Redevelopment
- Section 5: Public Agencies Activities
- Section 6: Public Information and Participation
- Section 7: Program Evaluation
- Section 8: Storm Water Monitoring

COMPONENT GOALS, MAJOR TASKS, AND RESPONSIBILITIES FOR IMPLEMENTATION

SECTION 1. PROGRAM MANAGEMENT

This component is the foundation of the plan, it describes how the District will coordinate the implementation of SMP related activities. The elements that the District is currently addressing include establishing regularly scheduled meetings to coordinate activities, continued coordination with affected public agencies, establishing institutional arrangements with other governmental entities, identifying a source(s) of funding, setting up a budget, assigning responsibilities as appropriate, and developing a system to facilitate reporting of SMP efforts.

SECTION 2. ILLICIT DISCHARGES

Work on this component is currently focused on refining the illicit discharge program that the District already has in place. Activities to be addressed include coordination of efforts with other governmental entities, improving public outreach activities, and development of a wastewater spill response plan.

Activities that are already in place include an arrangement between the District and Vallejo Fire Department to remove hazardous wastes from the streets and storm drain; a program to recycle batteries, oil, antifreeze, paints and other automotive fluids that are generated or recovered by the District; a program to distribute information in neighborhoods where a illicit discharge has occurred; a stenciling program to educate the public about the storm drain and effects of illicit dumping; and, a program to inspect and sample the storm drain on a continuous basis.

Additional activities include annual household hazardous waste collection days run by the Vallejo Garbage Company and the Vallejo Fire Department, a household hazardous waste drop-off sight at the Vallejo Garbage Company, curbside collection program for waste oil, and six State certified businesses which collect used oil.

Response to illicit discharges in the unincorporated areas is managed by the County's Hazardous Materials Program. The program also addresses many businesses within the City of Vallejo. Program activities include the following: regulation of hazardous materials at businesses, including inspections to identify the location of storm drains and identify possible illicit discharges to the storm drain; a system to document illegal discharges and prosecute dischargers; a policy to notify other public agencies in the event of a release to the environment including the District, Regional Board, and Department of Fish and Game; response to illicit discharges via the 911 emergency dispatch system.

SECTION 3. INDUSTRIAL/COMMERCIAL SOURCES

Pursuant to the National Pretreatment Regulations, the District has the authority to control discharges from any business that discharges directly or indirectly to the sanitary sewer system. This authority is effective in both the City of Vallejo and in unincorporated areas of Solano County. Storm water related activities have been incorporated into the Pretreatment Program to allow for efficient implementation of both storm and wastewater activities.

The program is currently focusing on controlling non-storm water discharges from industrial businesses such as automotive repair shops, automotive detailers, car washes, restaurants, and large commercial centers. Requirements for businesses include installing washpads to direct wastewater flows to the sanitary sewer system, providing secondary containment of stored materials, implementation of spill control programs, implementation of programs to maintain good housekeeping practices, and requirements to clean private catch basins prior to the rainy season.

Industrial/Commercial elements that need to be addressed include establishing funding for a full-time SMP coordinator and modifying the District's existing enforcement response plan to address violations of storm water related requirements.

SECTION 4. NEW DEVELOPMENT AND REDEVELOPMENT

Although there are many activities in place to reduce or control pollutants in storm water, measures specifically designed to address the removal of construction related pollutants in storm water discharges have not been developed. The following is a list of existing practices and procedures that are in place to reduce the amount of pollutants contributed by construction activities: development plans are reviewed and approved by the District, BMP's can be required as a condition of plan approval, contractors are required to develop and implement an erosion control plans, contractors are required to prevent illicit discharges to the storm drain with BMP's, grading is regulated for all construction projects within the City of Vallejo, contractors are required to implement soil stabilization and fill practices as part of all major construction activities, contractor are required to keep saw cut slurries from entering the storm drain, the District requires contractors to direct water removed from trenches to the sanitary sewer system, and plans for construction are routinely review to identify storm water concerns or issues.

Activities to be performed pursuant to this section include the following items: forming a committee of District and City personnel to address new and redevelopment issues, developing a plan for managing storm water from new and redevelopment activities, implementation watershed protection policies, incorporation of storm water issues into the City of Vallejo General Plan, development of a master plan for managing storm water quality, determining the need to incorporate storm water related requirements into the building permit process, incorporation of storm water related requirements into standard specifications for construction, performing a study to determine post-construction controls, identify areas that need BMP's, investigating the use of public lands for installing BMP's, adopting standards for BMP usage, development of a program to address road construction and repair activities, determining where BMP's can be retrofitted with existing facilities, improvement of construction site storm water management practices, development of erosion control requirements, development of waste management requirements for construction sites, adoption of inspection policies and procedures for construction site inspections, development of a system to coordinate with State Storm Water Permits for Construction, development of system for training affected personnel, and development of an outreach and enforcement program for new and redevelopment policies.

SECTION 5. PUBLIC AGENCY ACTIVITIES

The District currently regulates storm water discharges from the Vallejo Transit Authority, the City of Vallejo Corp. Yard, Vallejo Garbage Service, the Vallejo Unified School District, Greater Vallejo Recreation Corp. Yard, City of Vallejo Harbor and Marina, Vallejo Police Department, Vallejo Fire Department, the Solano-Benicia Humane Society, and a Cal Trans Maintenance Station. A survey to update this list and identify unpermitted dischargers is performed annually.

Storm water discharges from public agency activities are regulated through discharge permits issued by the District. Permit conditions intended to address storm water concerns include requirements for installing vehicle and equipment wash pads, maintenance of a spill prevention plan, proper storage of toxic materials, and good housekeeping practices.

The District maintains the storm drain on a regular basis to remove pollutants and promote optimum drainage conditions. The maintenance program includes routine catch basin cleaning, seasonal channel maintenance, and ongoing inspection of the system to identify structural problems and cross-connections. In addition, the City of Vallejo sweeps all streets in Vallejo once a month. Selected commercial corridors are swept twice a month.

Tasks to be addressed pursuant to this section include development of a standard Storm Water Pollution Prevention Plan (SWPPP) for public agency facilities, evaluation of Parks and Recreation activities, performing an inventory of public agency pesticide and fertilizer usage, development of a program to address storm water discharges from public water bodies, and performing a study to determine the effectiveness of the SWPPP for public agencies.

SECTION 6. PUBLIC INFORMATION AND PARTICIPATION

The District has been conducting public information activities since 1991. The District's program has been designed to inform citizens about urban runoff, water pollution issues, and proper disposal of business and household hazardous wastes. Information about these subjects is distributed through the mail, at public events, and through a school tour program.

Although the District's current public outreach program is addressing many topics and audiences, it needs to be more focused. Work related to this section will concentrate on improving or clarifying several of the program objectives. Tasks to be addressed include review of storm water data to identify issues that can be addressed through PIP activities, tracking of PIP related funds and resources, compilation of PIP statistics, evaluation of the need to expand the School Tour Program, soliciting feedback from other sources, development of a system to evaluate the overall PIP, development of a survey to be used at public events, exploring the possibility of implementing a volunteer monitoring program, and determining the need to educate the public about the proper use of pesticides and insecticides.

SECTION 7. PROGRAM EVALUATION

In order to judge the effectiveness of the activities and control measures proposed by the District, performance standards for relevant program components will be established. Work in this area includes developing a schedule for evaluation, outlining a method of evaluating the program, identifying who will do the evaluating, identifying the program elements that will be evaluated, outlining information that needs to be included in annual or periodic reports, and specifying procedures to ensure that the SMP will be reviewed and revised periodically.

SECTION 8. STORM WATER MONITORING

Monitoring to determine event mean concentration and pollutant loading has been discontinued to direct efforts toward the development of a regional storm water monitoring strategy. . The strategy, which will be implemented by the BASMAA Monitoring Committee, will develop regionally consistent and integrated information to help all BASMAA members assess compliance with MEP, determine impacts on beneficial uses in receiving waters, decide on appropriate actions to protect and enhance those beneficial uses, and document the effectiveness of their programs.

District personnel will continue working with the BASMAA Monitoring Committee to create a management structure for implementing the Regional Monitoring Strategy.